

# Exhibit F

**COPY**

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

3

ANTOINE TAYLOR,

4

Plaintiff,

5

- against -

Civil Action No.:  
11-CV-0934

6

NASSAU COUNTY, THE NASSAU COUNTY  
POLICE DEPARTMENT, NASSAU COUNTY

7

POLICE COMMISSIONER LAWRENCE MULVEY,

8

FIRST DEPUTY COMMISSIONER ROBERT MCGUIGAN,

9

SECOND DEPUTY COMMISSIONER WILLIAM FLANAGAN,  
ASSISTANT COMMISSIONER DAVID MACK, ASSISTANT

10

COMMISSIONER ROBERT CODIGNOTTO, CHIEF OF THE  
DEPARTMENT STEVEN SKRYNECKI, CHIEF OF PATROL

11

JOHN HUNTER, JOHN DOES COMMISSIONERS AND

SUPERVISORS, POLICE OFFICER KEITH ROGICH

AND JOHN DOE POLICE OFFICER,

12

Defendants.

13

14

One West Street  
Mineola, New York

15

16

January 27, 2012  
9:44 A.M.

17

18

DEPOSITION of POLICE OFFICER MICHAEL F.

19

KNATZ, a Nonparty witness in the above-entitled

20

action, at the above-mentioned place, before

21

Nancy Dionisio a Notary Public of the State of

22

New York, taken pursuant to Federal Rules of

23

Civil Procedure, and pursuant to Subpoena, and

24

stipulations between Counsel.

25

\* \* \* \*

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A P P E A R A N C E S :

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BADER, YAKAITIS & NONNENMACHER, LLP  
Attorneys for Plaintiff  
350 Fifth Avenue - Suite 7210  
New York, New York 10118

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BY: JOHN J. NONNENMACHER, ESQ.

9

10

11

NASSAU COUNTY  
OFFICE OF THE COUNTY ATTORNEY  
Attorneys for Defendants  
One West Street  
Mineola, New York 11501

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13

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BY: PETER LASERNA, ESQ.  
FILE NO.: 10X44051

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IT IS HEREBY STIPULATED AND  
AGREED by and between the attorneys for  
the respective parties hereto, that  
filing, sealing, and certification are  
hereby waived;

IT IS FURTHER STIPULATED AND  
AGREED that all objections, except as  
to the form of the question, shall be  
reserved to the time of the trial;

IT IS FURTHER STIPULATED AND  
AGREED that the within Deposition may  
be signed before any Notary Public  
with the same force and effect as  
though subscribed and sworn to before  
this Court.

\* \* \* \*

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1

2

M I C H A E L F. K N A T Z , a Nonparty

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Witness herein, having been first

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duly sworn by a Notary Public of

5

the State of New York, was

6

examined and testified as

7

follows:

8

9

EXAMINATION BY MR. NONNENMACHER:

10

Q. May I have your full name for the

11

record, please?

12

A. Michael F. Knatz.

13

Q. State your current address for the

14

record, please.

15

A. 1490 Franklin Avenue, Mineola, New York

16

11501.

17

Q. Good morning, Officer Knatz, my name is

18

John Nonnenmacher, I'm a partner with the law

19

firm of Bader, Yakaitis and Nonnenmacher and I

20

represent Antoine Taylor. I'm going to be asking

21

you a number of questions regarding an incident

22

that occurred back in September of 2009.

23

Are you here today pursuant to a

24

subpoena?

25

A. Yes.

SHEET 5 PAGE 5

5

1 Knatz

2 Q. That was a subpoena that was served on  
3 you by my office?

4 A. I got it in my mail at work. Nobody  
5 really handed it to me.

6 Q. Are you presently employed?

7 A. Yes.

8 Q. Who are you employed by?

9 A. Nassau County.

10 Q. Is that the Nassau County Police  
11 Department?

12 A. Yes.

13 Q. Are you a police officer?

14 A. Yes.

15 Q. How long have you been a police officer  
16 employed by Nassau County?

17 A. Since 1987.

18 Q. Prior to that were you employed by any  
19 other law enforcement agency?

20 A. No.

21 Q. Did you go to the academy?

22 A. Nassau County Police Academy?

23 Q. Yes.

24 A. Yes.

25 Q. When did you graduate from the academy?

SHEET 6 PAGE 6

6

1 Knatz

2 A. It was early 1988.

3 Q. When you graduated from the academy in  
4 1988, what was your first assignment?

5 A. Fifth Precinct in Dutch Broadway in  
6 Elmont.

7 Q. Were you a police officer then?

8 A. Yes.

9 Q. How long were you assigned to the Fifth  
10 Precinct?

11 A. Five, six years.

12 Q. Following the Fifth Precinct, where  
13 were you transferred to or where were you  
14 assigned then?

15 A. Bureau of Special Operations, BSO.

16 Q. Did they have a particular location?

17 A. Well, I was still -- we still have an  
18 office in the Fifth Precinct, BSO, but we have  
19 offices all over the place, we have in various  
20 precincts throughout the county.

21 Q. Would you be able to tell me a  
22 particular precinct that you were assigned to as  
23 a BSO officer?

24 A. The Fourth and Fifth Precincts.

25 Q. Are you currently a BSO police officer?

SHEET 7 PAGE 7

7

1 Knatz

2 A. Yes.

3 Q. Are you assigned to any precinct today?

4 A. We go everywhere, but we are generally  
5 assigned to the Fourth, Fifth, First and Seventh,  
6 which is considered the south shore.

7 Q. Would you be so kind as to tell me what  
8 you believe the BSO to be?

9 A. Bureau of Special Operations.

10 Q. That's what the acronym means, but what  
11 is the Bureau of Special Operations?

12 A. We are a function of Nassau County  
13 Police Department, we are what most people would  
14 call us the swat team and we're also a  
15 plainclothes unit that assists various squads  
16 throughout Nassau County.

17 Q. Back in September of 2009, did you  
18 participate in the arrest of Antoine Taylor?

19 A. Yes.

20 Q. Do you recall what day that occurred  
21 on?

22 A. Late 2009. The actual date, no.

23 Q. Would it refresh your recollection at  
24 all if I told you September 26, 2009?

25 A. I don't know the date.



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8

1 Knatz

2 Q. Do you recall the incident?

3 A. Yes.

4 Q. Do you recall what your tour of duty  
5 was on the day of this incident?

6 A. Night tour.

7 Q. Do you recall what the hours would have  
8 been?

9 A. Probably 3:30 to 1:30.

10 Q. Did you have to go to a precinct at the  
11 beginning of your tour?

12 A. Did I have to?

13 Q. Yes.

14 A. That would depend.

15 Q. Did you go to a precinct before the  
16 start of your tour?

17 A. I believe I did, I'm not 100 percent  
18 sure.

19 Q. Did you review any records before  
20 coming here today?

21 A. Records of what?

22 Q. Anything.

23 A. Yes.

24 Q. What did you review before you came  
25 here today?

SHEET 9 PAGE 9

9

1 Knatz

2 A. This, this and that (indicating).

3 Q. Aside from the subpoenas that were  
4 served on you, did you review any other records  
5 before coming here today?

6 A. No.

7 Q. Did you discuss the events that  
8 occurred with Police Officer Rogich before coming  
9 here today?

10 A. No.

11 Q. Do you recall where you started your  
12 tour of duty on the night of this incident or  
13 afternoon of this incident?

14 A. I believe it was the Fifth Precinct,  
15 but I'm not 100 percent sure.

16 Q. Do you recall what you were doing  
17 before you started your tour of duty?

18 A. I was getting ready for work.

19 Q. Do you recall where you went after you  
20 got ready for work?

21 A. I believe it was the Fifth Precinct,  
22 but I'm not 100 percent sure.

23 Q. That's why I keep asking these  
24 questions because there is no certainty to your  
25 answers. So if you're wondering why I'm asking

SHEET 10 PAGE 10

10

1

Knatz

2

the same questions it's to try and get some kind

3

of certainty. After you got ready for work and

4

you arrived, wherever it is that you arrived, do

5

you recall how long you stayed there?

6

A. No.

7

Q. Do you recall what happened once you

8

got there?

9

A. I was ordered to go to Hempstead.

10

Q. Who ordered you to go to Hempstead?

11

A. BSO office.

12

Q. Was there a particular person in the

13

BSO office?

14

A. Police officers, yes.

15

Q. Who was it?

16

A. I don't know.

17

Q. Was this something that was told to you

18

verbally or was it some kind of communication in

19

writing?

20

A. No.

21

Q. Well, was it writing or oral?

22

A. Over the phone.

23

Q. Do you recall what the sum and

24

substance of the conversation was that you had

25

over the phone?

SHEET 11 PAGE 11

11

1 Knatz

2 A. To go and assist BSO officers who were  
3 already in Hempstead.

4 Q. Did they give you a particular location  
5 to go to?

6 A. Yes.

7 Q. Do you recall what location you had to  
8 go to?

9 A. Graham.

10 Q. Is that Graham or West Graham Avenue?

11 A. It's Graham. There is a West Graham,  
12 we might have been on West Graham. I don't know  
13 where it changes.

14 Q. Was there a particular intersection  
15 that you were told to go to?

16 A. It was between Peninsula Boulevard and  
17 Franklin Avenue.

18 Q. Aside from telling you to go to  
19 Hempstead, do you recall anything else that  
20 occurred during that conversation?

21 A. Yes, we were going to assist homicide.

22 Q. In what?

23 A. In they had an investigation going.

24 Q. Do you know who they were  
25 investigating?

SHEET 12 PAGE 12

12

1 Knatz

2 A. His name is Antoine Taylor.

3 Q. Tell me what you recall the  
4 conversation in its entirety to be as opposed to  
5 doing this in piecemeal. Tell me what you  
6 remember the conversation being.

7 A. I was instructed to go to Hempstead to  
8 assist homicide in an investigation they had  
9 going.

10 Q. Who did you go with?

11 A. I believe my partner Keith Rogich, we  
12 went together. I believe it was Keith, yes, we  
13 went together.

14 Q. How long had Keith Rogich been your  
15 partner prior to the day of this incident?

16 A. Years. I don't recall.

17 Q. Is he still your partner today?

18 A. No.

19 Q. Did you have a particular falling out  
20 with Police Officer Rogich?

21 A. No.

22 Q. Is there a reason why you're not  
23 partners today?

24 A. Just we changed partners, that's it.

25 Q. Are you aware that he testified at a

SHEET 13 PAGE 13

13

1 Knatz

2 deposition?

3 A. I was told a bunch of police officers  
4 did, I don't know if he did.

5 Q. Are you aware that he testified that  
6 you had a falling out and that's why you ceased  
7 being partners?

8 A. No.

9 Q. Did any supervising officers have to  
10 get involved when you and Keith Rogich ceased  
11 being partners?

12 A. No. It was a very typical nonevent  
13 type of thing.

14 Q. Do you recall what vehicle you traveled  
15 in from wherever it is that you started your tour  
16 to the time that you got to Hempstead?

17 A. Yes, that would be a BSO car.

18 Q. Do you recall what type of car it was?

19 A. It's a Jeep.

20 Q. Did it have a particular number?

21 A. 975. Also known as 947.

22 Q. Why is that?

23 A. That's 'cause they had a little change  
24 of car numbers between what our fleet service,  
25 the guys who fix the cars call our cars and what

SHEET 14 PAGE 14

14

1 Knatz

2 the BSO calls the cars and they wanted to square  
3 it all away and they changed it.

4 Q. For consistency purposes, in September  
5 of 2009, were you operating a police vehicle 947?

6 A. Yes.

7 Q. Was that a SUV?

8 A. It's a Jeep.

9 Q. Do you recall what color that Jeep was?

10 A. It's gray.

11 Q. Would you describe it as being a light  
12 gray, dark gray, something else?

13 A. Light gray.

14 Q. From the time that you left the  
15 precinct up until the time that you arrived  
16 in Hempstead, did you have any further  
17 communications during your ride there?

18 A. You said from the time I left the  
19 precinct. I believe I left the precinct but I'm  
20 not 100 percent sure.

21 Q. From wherever it is that you left up  
22 until the time that you arrived in Hempstead, did  
23 you have any further communication with anyone  
24 regarding what you were going to do once you got  
25 to Hempstead?

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15

1 Knatz

2 A. I don't recall.

3 Q. Once you got to Hempstead, did you meet  
4 with any other officers?

5 A. There was a bunch of police officers  
6 there as well as bosses.

7 Q. Do you recall who the bosses were that  
8 were there?

9 A. It would be my sergeant which is  
10 Sergeant Kevin McCarthy. It would be Sergeant  
11 John Carney and Sergeant Richard Carlstrom.

12 Q. Do you recall where you arrived in  
13 Hempstead, when you physically got into Hempstead  
14 and you saw these officers, where were you  
15 geographically?

16 A. Between -- there is a side street and  
17 it was between Peninsula Boulevard and Franklin  
18 Avenue.

19 Q. Once you got to Peninsula Boulevard and  
20 Franklin Avenue, did you have any further  
21 conversations with any police officers that were  
22 there?

23 A. Yes.

24 Q. Who did you converse with?

25 A. Just in general, the police officers at



SHEET 16 PAGE 16

16

1 Knatz

2 the scene.

3 Q. Did it have to do with Antoine Taylor  
4 or was it things that had nothing to do with  
5 Antoine Taylor?

6 A. It had to do with why we were there and  
7 what we were going to do.

8 Q. Once you got there, did you learn more  
9 of why you were there as opposed to what you  
10 learned during the phone conversation you had at  
11 the precinct or wherever it was you had the phone  
12 conversation?

13 A. Yes.

14 Q. What did you learn?

15 A. That Antoine Taylor -- it was believed  
16 Antoine Taylor was in a house on the south side  
17 of Graham and that he would be driving a  
18 particular vehicle and we were awaiting his exit  
19 from this house.

20 Q. Who told you that you were waiting for  
21 him to leave this house in a vehicle?

22 A. I don't remember.

23 Q. Are you sure as you sit here today that  
24 that was the instruction as opposed to seeing  
25 whether he came out of the house walking or

SHEET 17 PAGE 17

17

1 Knatz

2 driving or was it specifically driving a vehicle?

3 A. He could have walked out, he could have  
4 drove out. We didn't know how he was going to  
5 come out.

6 Q. Was a plan devised as to what was going  
7 to take place once he came out of the building?

8 A. There were police officers positioned  
9 on all sides of this house location and depending  
10 on which way he went he was going to be stopped.

11 Q. How was he going to be stopped?

12 A. I don't understand what you mean by  
13 that.

14 Q. Was there a plan devised as to how the  
15 police officers were going to stop him?

16 A. We were going to stop him in close  
17 proximity of the house, if he was walking we'd  
18 approach him on foot, if he was driving we'd stop  
19 him with police cars.

20 Q. Do you recall what time you arrived in  
21 Hempstead?

22 A. No, I do not.

23 Q. Would you be able to approximate what  
24 time you arrived in Hempstead?

25 A. Four or five o'clock. P.M.

SHEET 18 PAGE 18

18

1 Knatz

2 Q. Where were you positioned once you had  
3 these various conversations with police officers?

4 A. I don't know the street, but it was  
5 east of the house he was supposed to be in and a  
6 little north.

7 Q. Does Rose refresh your recollection?

8 A. No.

9 Q. Rose Street or Rose Avenue?

10 A. It's possible. If I saw a map I'd be  
11 able to show you.

12 Q. But where you were stationed was  
13 northeast of where Antoine Taylor was allegedly  
14 staying?

15 A. Correct.

16 Q. Do you recall the house address where  
17 Antoine Taylor was staying?

18 A. No.

19 Q. Would it refresh your recollection if I  
20 told you it was 152 West Graham Avenue?

21 A. Nope.

22 Q. How long were you in that position  
23 before that position changed? In other words,  
24 you were parked in your car --

25 A. Yes.

SHEET 19 PAGE 19

19

1 Knatz

2 Q. -- in a location that was northeast of  
3 where Antoine Taylor was staying. How long did  
4 you remain in that position?

5 A. It was a while. I don't know exactly.  
6 But it was a while.

7 Q. During that time, was Keith Rogich in  
8 the car?

9 A. Yes.

10 Q. Were you still in the driver's seat?

11 A. I was driving, yes.

12 Q. Is there such a term as a recorder, are  
13 you familiar with that term, recorder?

14 A. Yes.

15 Q. What is a recorder?

16 A. Just another word for a passenger.

17 Q. Do they have any responsibilities?

18 A. No, just passenger in the car.

19 Q. During the time that you were sitting  
20 in this car with Keith Rogich, were you getting  
21 any further communication with anyone?

22 A. Yes.

23 Q. Who were you getting communications  
24 from?

25 A. Just other BSO police officers who were

SHEET 20 PAGE 20

20

1 Knatz

2 at the scene.

3 Q. Would you be able to tell me how many  
4 communications you received?

5 A. No.

6 Q. Do you recall the sum and substance of  
7 any of those communications?

8 A. Just generally what was going on on the  
9 block.

10 Q. What do you recall that was generally  
11 going on on the block?

12 A. Just the comings and goings in the  
13 general area, people.

14 Q. Was there anything specific that you  
15 recall about comings and goings?

16 A. No, there was people coming and going  
17 in various houses.

18 Q. When you're referring to people, you're  
19 referring to pedestrians?

20 A. There were people on foot, yes.

21 Q. Were these people coming and going from  
22 152 or the address where Antoine Taylor was  
23 staying?

24 A. The general area.

25 Q. Who was giving you these communications,

SHEET 21 PAGE 21

21

1 Knatz

2 do you recall?

3 A. They were coming over the radio, just  
4 police officers who were there.

5 Q. Was there one particular police officer  
6 that was giving communications or were there more  
7 than one police officer?

8 A. There was more than one.

9 Q. Do you know Brian O'Connor?

10 A. Police Officer O'Connor, yes.

11 Q. How do you know him?

12 A. He's a member of the Bureau of Special  
13 Operations, I work with him.

14 Q. Was he present at this location while  
15 you were there?

16 A. I didn't see him. But he was there,  
17 yes.

18 Q. Do you know where he was?

19 A. No.

20 Q. Did you receive any communications from  
21 him?

22 A. Yes.

23 Q. Do you recall what communications you  
24 received from him?

25 A. No.

SHEET 22 PAGE 22

22

1 Knatz

2 Q. While were you waiting at that  
3 location, did you receive any communications from  
4 Kevin McCarthy?

5 A. Yes.

6 Q. Do you recall what type of  
7 communications you received from him?

8 A. Just updates and --

9 Q. Is there anything specific that you  
10 recall?

11 A. No.

12 Q. Did you receive any communications from  
13 John Carney while you were waiting there?

14 A. Yes.

15 Q. Do you recall any of the sum and  
16 substance of any of these conversations or  
17 communications?

18 A. Just updates.

19 Q. Is there anything that you recall about  
20 these updates?

21 A. No.

22 Q. Do you recall the specifics of any of  
23 the updates that you received from Sergeant Kevin  
24 McCarthy and Sergeant John Carney?

25 A. No.

1 Knatz

2 Q. Did you receive any communications from  
3 Richard Carlstrom while you were there?

4 A. I don't recall.

5 Q. The plan that was devised or what the  
6 police officers' goal was at this location, was  
7 that ever put in writing?

8 A. By myself?

9 Q. Anybody.

10 A. Don't know.

11 Q. Subsequent to this incident, did you  
12 ever see anything in writing that reflected the  
13 plan that was made?

14 A. No.

15 Q. Are you aware that prior to this  
16 incident Keith Rogich was involved in another  
17 incident while he was employed by the New York  
18 City Police Department involving a shooting, are  
19 you aware of that?

20 A. I don't really know what happened, but  
21 I've heard that, yes, he was involved in  
22 something.

23 Q. Are you aware that he shot another  
24 individual prior to this incident?

25 A. I don't know whether he shot somebody



SHEET 24 PAGE 24

24

1 Knatz

2 or shot at somebody, I don't know.

3 Q. Did you have a conversation with Keith  
4 Rogich about that incident?

5 A. No.

6 Q. Do you know the name of the person that  
7 he shot or shot at?

8 A. I don't even know if he shot somebody.

9 Q. How would you describe your  
10 relationship with Keith Rogich back in September  
11 of 2009?

12 A. He was my partner.

13 Q. Did you have a relationship outside of  
14 being partners?

15 A. As far as?

16 Q. Did you socialize?

17 A. At police events, yes.

18 Q. Aside from police events, did you  
19 socialize anywhere else?

20 A. No.

21 Q. How would you describe your  
22 relationship with him today?

23 A. Fine.

24 Q. Obviously you spoke to Keith Rogich  
25 during the period of time that you were waiting

SHEET 25 PAGE 25

25

1 Knatz

2 at this location. Do you recall the sum and  
3 substance of any of the conversations you had  
4 with Keith Rogich while you were waiting at this  
5 location?

6 A. No.

7 Q. Eventually you moved your vehicle?

8 A. Yes.

9 Q. What was the catalyst for that?

10 A. Why I did it?

11 Q. Yes.

12 A. Because a vehicle was coming eastbound  
13 believed to be driven by Antoine Taylor.

14 Q. How do you know that?

15 A. It was relayed over the radio.

16 Q. Do you know who relayed that over the  
17 radio?

18 A. No.

19 Q. Do you recall hearing something over  
20 the radio that formed the basis for you to move  
21 your vehicle?

22 A. Yes.

23 Q. Do you recall the sum and substance of  
24 what you heard?

25 A. That a vehicle was coming eastbound on

SHEET 26 PAGE 26

26

1 Knatz

2 Graham that was believed to be driven by Antoine  
3 Taylor.

4 Q. Prior to this incident, did you know  
5 Antoine Taylor?

6 A. No, I did not.

7 Q. Prior to this incident, did you know  
8 anything about Antoine Taylor?

9 A. No, I did not.

10 Q. On the day of this incident, did you  
11 learn anything about Antoine Taylor aside from  
12 that he was wanted by homicide?

13 A. He had a warrant and was wanted for  
14 shooting somebody in Hempstead, and killing them.

15 Q. Aside from a warrant and he was wanted  
16 for allegedly killing somebody in Hempstead, did  
17 you know anything else about him?

18 A. His general description, I was shown a  
19 picture.

20 Q. Anything else?

21 A. What car he would be driving when he  
22 left the residence he was in.

23 Q. Were you familiar with this  
24 intersection prior to the date of this incident?

25 A. I had been on Graham before but I don't

SHEET 27 PAGE 27

27

1 Knatz

2 regularly patrol there.

3 Q. Do you recall what the house Antoine  
4 Taylor was staying in looked like?

5 A. No.

6 Q. Do you recall seeing it?

7 A. I passed by it.

8 Q. Do you recall taking a look at it aside  
9 from just passing by?

10 A. Very quickly passed by it.

11 Q. Did you pass by it on the date of this  
12 incident?

13 A. Yes.

14 Q. When you passed by it, did you look at  
15 it for any particular reason?

16 A. Yes, 'cause they said that's where he  
17 might be hiding in.

18 Q. Would you describe that as a glance or  
19 something more than a glance?

20 A. Just a glance, I was driving the speed  
21 limit on the road as we passed by.

22 Q. Do you recall what the speed limit on  
23 the road was?

24 A. It's 30 miles an hour.

25 Q. Do you recall what the traffic pattern

SHEET 28 PAGE 28

28

1 Knatz

2 was at this location, by that I mean how many  
3 lanes of traffic there were?

4 A. There was one lane in each direction.

5 Q. Do they travel in a westerly and an  
6 easterly direction?

7 A. Graham runs east and west, yes.

8 Q. And there is one lane in each  
9 direction?

10 A. Yes.

11 Q. Is there also a lane for parking on  
12 both sides?

13 A. No, I don't think there is.

14 Q. You don't think there is parking there  
15 because there's not enough space or is there an  
16 ordinance or some type of restriction?

17 A. Don't know.

18 Q. Do you know if there is enough space  
19 there for cars to park?

20 A. Don't know.

21 Q. The call that you got, was it a call  
22 basically to move in or a communication to move  
23 in?

24 A. There was a call saying that the car  
25 that Antoine Taylor was probably driving was

SHEET 29 PAGE 29

29

1 Knatz

2 coming eastbound.

3 Q. Do you recall what type of car he was  
4 driving?

5 A. It was a light colored Mitsubishi.

6 Q. Did you see the manner in which Antoine  
7 Taylor left the residence where he was staying?

8 A. No.

9 Q. When for the first time did you see his  
10 car?

11 A. When I pulled out of the side street  
12 and came up to Graham.

13 Q. Where did you eventually bring your  
14 vehicle to a stop?

15 A. On Graham and the side street I was on..

16 Q. Did you remain in the side street, the  
17 traffic pattern of the side street when you  
18 brought your car to a stop?

19 A. No, on Graham.

20 Q. Did you have to bring your vehicle in a  
21 westerly direction on Graham to bring it to a  
22 stop?

23 A. I went a little west, then south, then  
24 a little east.

25 Q. Using that description, is that like a

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30

1 Knatz

2 K-turn or a U-turn?

3 A. Semi-turn.

4 Q. How far did you drive your car a little  
5 south before you did something different?

6 A. The exact footage I couldn't tell you.

7 Q. Could you approximate how far you  
8 traveled a little south before you did something  
9 different?

10 A. When I got into the intersection.

11 Q. How are you describing the  
12 intersection, would that be the first lane of  
13 traffic traveling on West Graham Avenue in a  
14 westerly direction?

15 A. Well, I was actually going a little  
16 west in the westerly direction in the western  
17 lanes and then went a little south and then a  
18 little east when I got to the eastern part of the  
19 lanes.

20 Q. Initially you traveled in a southwest  
21 direction?

22 A. Yes.

23 Q. Was that on an angle?

24 A. Yes.

25 Q. How far, approximately, did you travel

SHEET 31 PAGE 31

31

1 Knatz

2 in a southwest direction into the intersection?

3 A. I didn't measure. I don't know.

4 Q. Did you enter the first lane of traffic  
5 on West Graham and after that travel in a  
6 westerly direction?

7 A. Yes.

8 Q. Did you pass that before you did  
9 something different?

10 A. I don't recall exactly.

11 Q. After you traveled in a southwesterly  
12 direction for whatever period of distance your  
13 car traveled, did you then turn it into an  
14 easterly direction?

15 A. Southeast, yes.

16 Q. With respect to the two lanes of  
17 traffic on West Graham Avenue, do you recall  
18 where you did that?

19 A. Somewheres in the middle.

20 Q. Was there a double yellow line on this  
21 road, do you recall?

22 A. I don't recall.

23 Q. Did you eventually bring your car to a  
24 stop?

25 A. Yes.



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32

1 Knatz

2 Q. As you traveled on an angle in a  
3 southwest direction, could you see Antoine  
4 Taylor's vehicle at that point in time?

5 A. Yes.

6 Q. What observations, if any, did you make  
7 about his vehicle?

8 A. It was traveling eastbound.

9 Q. Aside from the fact that it was  
10 traveling eastbound, did you make any other  
11 observations?

12 A. I saw a lot of things.

13 Q. Let's concentrate on what you saw with  
14 respect to the vehicle Antoine Taylor was  
15 traveling in. Aside from the fact that it was  
16 traveling eastbound, did you make any other  
17 observations about it?

18 A. Yes. It came to a stop.

19 Q. When his vehicle came to a stop, where  
20 was your vehicle? To his left, in front of him,  
21 someplace else?

22 A. His vehicle was to the west of me.

23 Q. Which lane of moving traffic on West  
24 Graham Avenue were you in when Antoine Taylor's  
25 vehicle came to a stop?

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33

1 Knatz

2 A. Exactly where my car was?

3 Q. If you can approximate.

4 A. I was in the intersection.

5 Q. Where did your car come to a stop?

6 A. In the intersection.

7 Q. When your car came to a stop, what part  
8 of your car was facing the front part of the car  
9 that Antoine Taylor was in?

10 A. What direction was my car facing?

11 Q. Yes.

12 A. My car was facing south, mostly south.

13 Q. When you brought your car to a stop,  
14 how would you describe it in relationship to  
15 where Antoine Taylor's car stopped, by that I  
16 mean were you parallel to his car, perpendicular  
17 to his car, something else?

18 A. My vehicle was south and a little east  
19 and I was east of his car.

20 Q. Was that perpendicular to his car or  
21 almost perpendicular, about perpendicular?

22 A. I would describe it as south, a little  
23 east.

24 Q. On an angle?

25 A. On an angle.

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34

1 Knatz

2 Q. Was the back part of your vehicle  
3 facing the front of his car?

4 A. No.

5 Q. What part of your car, if any, was  
6 facing the front of his car?

7 A. The passenger door.

8 Q. How would you describe your rate of  
9 speed from the time that you left the position  
10 you were in up until the time that you brought  
11 your car to a stop?

12 A. Extremely slow.

13 Q. Why were you going extremely slow?

14 A. Because I didn't want to have an  
15 accident.

16 Q. When you say extremely slow, was that  
17 less than 20 miles an hour?

18 A. Yes.

19 Q. Would you say you were going less than  
20 ten miles an hour?

21 A. Probably.

22 Q. During that time that you traveled from  
23 the position you were in up until the time that  
24 you brought your car to a stop going less than  
25 ten miles an hour, did you ever put your lights

SHEET 35 PAGE 35

35

1 Knatz

2 on?

3 A. Before I stopped?

4 Q. Yes.

5 A. No.

6 Q. Is there a reason why you didn't put  
7 your lights on?

8 A. Yes.

9 Q. What was the reason?

10 A. Because I was waiting for a police car  
11 to come up behind Antoine Taylor's car.

12 Q. Was that something you decided to do  
13 on your own or was that something you were  
14 instructed to do?

15 A. It was something that was talked about.

16 Q. Who talked about it?

17 A. Just the police officers that were  
18 there.

19 Q. Did someone direct you not to put your  
20 lights on until another police officer came?

21 A. I don't remember.

22 Q. When you were in the police academy,  
23 did you get any lesson books with respect to  
24 certain aspects of law enforcement?

25 A. Yes.

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36

1 Knatz

2 Q. Did some of those lessons pertain to  
3 the use of force?

4 A. Yes.

5 Q. Did some of them pertain to the use of  
6 a vehicle?

7 A. We had a driving school, yes.

8 Q. Did any of that indicate when you  
9 should put your lights and sirens on?

10 A. I don't recall.

11 Q. When a police officer is trying to  
12 apprehend somebody, are there any rules that are  
13 in writing with respect to when you're supposed  
14 to put your lights and sirens on?

15 A. I don't recall.

16 Q. Did you receive any training as to when  
17 you're supposed to put your lights and sirens on?

18 A. I'm sure I did, yes.

19 Q. What is your impression of when a  
20 police officer is supposed to put his lights and  
21 sirens on when he's apprehending somebody?

22 A. Can you say that again?

23 MR. NONNENMACHER: Can you repeat  
24 that?

25 (Whereupon, the reporter repeated

SHEET 37 PAGE 37

37

1 Knatz

2 the requested portion of the record.)

3 A. When -- pretty much when I want that  
4 person to know that I'm the police.

5 Q. So from the time that you were in your  
6 position up until the time that you stopped your  
7 vehicle or put your lights and sirens on, you  
8 didn't want Antoine Taylor to know that you were  
9 the police; is that correct?

10 A. Correct.

11 Q. You have a patrol guide, am I correct,  
12 or you have the equivalent of a patrol guide?

13 A. I don't know what you mean by a patrol  
14 guide.

15 Q. You have rules and regulation that are  
16 promulgated by the Nassau County Police  
17 Department?

18 A. Yes.

19 Q. Is a police officer supposed to follow  
20 those rules and regulations?

21 A. Yes.

22 Q. Is a police officer supposed to take it  
23 upon himself to disregard those rules and  
24 regulations?

25 A. It would depend on the circumstances.

SHEET 38 PAGE 38

38

1 Knatz

2 Q. How about procedures, are there certain  
3 written procedures that are promulgated by the  
4 Nassau County Police Department?

5 A. Yes.

6 Q. And a police officer who is employed by  
7 the Nassau County Police Department is supposed  
8 to follow those procedures?

9 A. Yes.

10 Q. Can you disregard those procedures?

11 A. It would depend.

12 Q. Do you recall a particular person who  
13 told you to delay the fact that you were a police  
14 officer with respect to apprehending Antoine  
15 Taylor?

16 A. I don't recall.

17 Q. Do you recall if anyone told you that  
18 or you did that on your own?

19 A. I don't recall.

20 Q. Is it possible that you did it on your  
21 own?

22 A. I don't know.

23 Q. How long were you going to wait until  
24 you told or informed Antoine Taylor, who was  
25 traveling in a vehicle, that the police were

SHEET 39 PAGE 39

39

1 Knatz

2 present?

3 A. How long did I wait?

4 Q. Yes.

5 A. I didn't count, but it had to be a  
6 split second or two.

7 Q. What did you do once you brought your  
8 vehicle to a stop?

9 A. I looked east -- excuse me, west. Saw  
10 Antoine Taylor, saw the police car coming up  
11 behind him and I put on my lights.

12 Q. When you looked to the left and saw  
13 Antoine Taylor's vehicle and another police  
14 vehicle coming from behind him, where was Keith  
15 Rogich?

16 A. I didn't look to my left. I looked to  
17 my right.

18 Q. I'm sorry. When you looked to your  
19 right and you saw Antoine Taylor's vehicle and a  
20 police vehicle coming up from behind him, where  
21 was Keith Rogich?

22 A. Sitting right next to me.

23 Q. The car that was coming up behind  
24 Antoine Taylor, can you describe that vehicle for  
25 me?



SHEET 40 PAGE 40

40

1 Knatz

2 A. It was an unmarked police Jeep.

3 Q. Was it black?

4 A. I believe it was, yes.

5 Q. Was Officer Alonge in that vehicle?

6 A. I think so.

7 Q. Was Officer Lanzalotto also in that  
8 vehicle?

9 A. I believe he was.

10 Q. And was Lanzalotto operating that  
11 vehicle?

12 A. I don't know.

13 Q. When you looked to your right and you  
14 saw the vehicle that Alonge and Lanzalotto were  
15 in, did they have their lights on at that time?

16 A. When I first saw them?

17 Q. Yes.

18 A. No.

19 Q. Do you know why they didn't have their  
20 lights on?

21 A. No.

22 Q. Did you ever discuss with either  
23 Lanzalotto and Alonge why they didn't have their  
24 lights on?

25 A. No.

SHEET 41 PAGE 41

41

1 Knatz

2 Q. Do you know if they were following some  
3 type of plan or procedure by not having their  
4 lights on?

5 A. You'll have to ask them.

6 Q. So then either you know or you don't  
7 know. So what I'm going to do is have the  
8 question asked again, it's either I know why they  
9 didn't have their lights on or I don't know.

10 A. Well, it's not a yes or no answer.

11 MR. NONNENMACHER: Then we'll  
12 just call a Magistrate and we will see.

13 Can you read back my last  
14 question.

15 (Whereupon, the reporter repeated  
16 the requested portion of the record.)

17 A. Well, they did have their lights on  
18 when they came up behind him.

19 Q. When you were looking to the right, did  
20 they have their lights on?

21 A. Yes.

22 Q. When you looked to your right for the  
23 first time and you saw the black vehicle  
24 traveling behind Antoine Taylor's vehicle, did  
25 they have their lights on at that time?

SHEET 42 PAGE 42

42

1 Knatz

2 A. When I first looked?

3 Q. Yes.

4 A. They were not behind Antoine Taylor,  
5 they were down the block and they did not have  
6 their lights on. When they got closer they did  
7 have their lights on.

8 Q. How close were they from Antoine  
9 Taylor's vehicle when you saw their lights on  
10 for the first time?

11 A. Don't know.

12 Q. When you looked to your right, did you  
13 keep your eyes on that direction the entire time  
14 this incident occurred or did your focus change?

15 A. I was looking to my right.

16 Q. Eventually Antoine Taylor was shot; am  
17 I correct?

18 A. Yes, he was.

19 Q. From the time you first looked to the  
20 right up until the time that Antoine Taylor was  
21 shot, did you look in any other direction other  
22 than to the right?

23 A. Sure.

24 Q. Where else did you look?

25 A. I'm not sure what you're asking.

SHEET 43 PAGE 43

43

1 Knatz

2 Q. Well, the incident that took place  
3 between Antoine Taylor and Keith Rogich all  
4 occurred to your right; am I correct?

5 A. Yes.

6 Q. Aside from looking in the direction  
7 where this incident occurred, did you look in any  
8 other direction?

9 A. Yes.

10 Q. What other direction did you look in?

11 A. When I got out of the car I'm sure I  
12 looked in that direction to make sure I wouldn't  
13 get hit by a car. I went around the back of the  
14 vehicle which I couldn't see anything to the east  
15 because I was behind the police car and then I  
16 came out to the east of the car.

17 Q. Did you get out of your vehicle prior  
18 to Antoine Taylor being shot?

19 A. Yes.

20 Q. How long were you stopped in that  
21 vehicle before you put your lights on?

22 A. A split second or two.

23 Q. Did your car come equipped with a  
24 siren?

25 A. Yes, there is a siren in the car.

SHEET 44 PAGE 44

44

1 Knatz

2 Q. Did you put your siren on?

3 A. No, I did not.

4 Q. Is there a reason why you did not put  
5 the siren on?

6 A. Yes.

7 Q. What's the reason?

8 A. The reason was that Keith Rogich was  
9 getting out and we would be giving orders to the  
10 driver of that car.

11 Q. Who was going to give orders to the  
12 driver of that car?

13 A. Whoever came upon him first.

14 Q. Was that decided before you got out of  
15 the vehicle?

16 A. No.

17 Q. Did your car come equipped with any  
18 type of communication system, megaphone or  
19 loudspeaker or something where you can make an  
20 announcement?

21 A. There is one in the car, yes.

22 Q. Is that part of the car or is that  
23 independent of the car?

24 A. As far as what?

25 Q. What is it called?

SHEET 45 PAGE 45

45

1 Knatz

2 A. Just a mike.

3 Q. The sound, does that come from the car  
4 as opposed to you picking up a megaphone and  
5 saying something?

6 A. It's attached by a wire.

7 Q. Could you have given Antoine Taylor  
8 orders or directions using that system?

9 A. Could I have?

10 Q. Yes.

11 A. I guess it's possible, yes.

12 Q. Did you?

13 A. No, I did not.

14 Q. Why not?

15 A. Because I was concentrating on him.

16 Q. How would concentrating on Antoine  
17 Taylor affect your ability to pick up a mike and  
18 give him a command over the radio?

19 A. First you would have to find the mike,  
20 you would have to hit the buttons to do it, you  
21 would have to bring it up and there was just not  
22 time for that.

23 Q. Are you trained to do that?

24 A. I've never been trained to that, no.

25 Q. You never received any training from

SHEET 46 PAGE 46

46

1 Knatz

2 the Nassau County Police Department with respect  
3 to using that communication system?

4 A. As far as this is how you pick it up  
5 and this is --

6 Q. Yes, all of that.

7 A. How it works, yes. How to specifically  
8 do it, no and when you specifically use it, no.

9 Q. Did you know how to find that mike?

10 A. It's on the right-hand side of the car.

11 Q. So when you were in the car you knew  
12 where the mike was; right?

13 A. No.

14 Q. When you were in this car you did not  
15 know where the mike was?

16 A. It's on the right-hand side of the car.  
17 Exactly where it was, no.

18 Q. How far away was it from your right  
19 hand?

20 A. It's on the passenger side of the car,  
21 I'm on the driver's side of the car.

22 Q. Then it would have been the recorder's  
23 responsibility or Keith Rogich's responsibility  
24 to make such an announcement?

25 MR. LASERNA: Objection.

SHEET 47 PAGE 47

47

1 Knatz

2 A. It was --

3 MR. LASERNA: Go ahead, you can  
4 answer.

5 A. There is no responsibility at all.

6 Q. So then either of you could have done  
7 it?

8 A. It's possible.

9 Q. But nobody did?

10 A. No, we did not.

11 Q. Who got out of the car first, you or  
12 Keith Rogich?

13 A. Police Officer Rogich.

14 Q. Did you observe him get out of the car?

15 A. I saw him get out of the car, yes.

16 Q. When you saw him get out of the car,  
17 did he have his gun drawn?

18 A. I do not know.

19 Q. How long was Officer Rogich out of the  
20 car before you got out of it?

21 A. I got out of the car right after he got  
22 out.

23 Q. When Keith Rogich got out of the car,  
24 what, if anything, did you observe him do?

25 A. He opened the door.



SHEET 48 PAGE 48

48

1 Knatz

2 Q. After he opened the door, then what did  
3 you see?

4 A. He exited the car.

5 Q. And then what did you see?

6 A. I don't know what he did.

7 Q. You don't know what he did because then  
8 you got out of the car; am I correct?

9 A. I got out on the opposite side.

10 Q. When Keith Rogich got out of the car,  
11 do you know what distance he was from the front  
12 of Antoine Taylor's vehicle?

13 A. No.

14 Q. Do you know what, if anything, Antoine  
15 Taylor's vehicle was doing when Keith Rogich got  
16 out of the car and by that I mean was it stopped,  
17 was it moving, doing something else?

18 A. When we exited the car, when Officer  
19 Rogich exited the car Antoine Taylor's car was  
20 stopped.

21 Q. And you observed that?

22 A. Yes.

23 Q. When you observed Antoine Taylor's car  
24 stopped, it would have been beyond Keith Rogich;  
25 am I correct?

SHEET 49 PAGE 49

49

1 Knatz

2 A. What do you mean by beyond?

3 Q. For you to see that Antoine Taylor's  
4 vehicle was stopped, Antoine Taylor's vehicle was  
5 more west than Keith Rogich; am I correct?

6 A. Correct.

7 Q. When you saw Antoine Taylor's vehicle  
8 stopped, did you see where Officer Rogich was in  
9 relationship to that car?

10 A. Well, in relation to our car he stepped  
11 right out of our car, out of the police car.

12 Q. What distance separated Keith Rogich  
13 from the front of Antoine Taylor's stopped  
14 vehicle?

15 A. I have no idea.

16 Q. As you exited your vehicle, did you  
17 then travel towards the rear of your vehicle or  
18 the front of your vehicle?

19 A. The rear.

20 Q. So then you went around the rear?

21 A. Correct.

22 Q. When you went around the rear, where  
23 was Keith Rogich standing?

24 A. Don't know.

25 Q. Were you able to see Keith Rogich at

SHEET 50 PAGE 50

50

1 Knatz

2 that time?

3 A. No.

4 Q. Where was Antoine Taylor's vehicle at  
5 that time?

6 A. Don't know.

7 Q. Where were you looking at that time?

8 A. At what time?

9 Q. When you got to the rear of your  
10 vehicle.

11 A. I was looking in the roadway to make  
12 sure I didn't get hit by a car.

13 Q. Did you cross behind the rear of your  
14 car?

15 A. Yes.

16 Q. After you looked to make sure that  
17 there were no vehicles traveling east in the  
18 western lane of moving traffic, did you then  
19 travel, walk behind your car?

20 A. Say that again.

21 Q. When you walked down to the rear of  
22 your car --

23 A. Correct.

24 Q. -- and you're looking to make sure  
25 you're not struck by any vehicles coming, were

SHEET 51 PAGE 51

51

1 Knatz

2 you able to see anything that was transpiring  
3 between Antoine Taylor and Keith Rogich?

4 A. When I came around to the rear of the  
5 police car I was looking at cars coming  
6 westbound, not eastbound.

7 Q. Right.

8 A. And once that was clear and there was  
9 nobody coming, then I proceeded to look westbound  
10 at Antoine Taylor's car.

11 Q. When you were walking, were you in the  
12 westbound lane, or the eastbound lane when you  
13 were walking after making sure there was nobody  
14 going to hit you with a car?

15 A. I was pretty much in the middle.

16 Q. When you were in the middle, were you  
17 able to see what was going on between Keith  
18 Rogich and Antoine Taylor?

19 A. No.

20 Q. What prevented you from seeing that?

21 A. The police car.

22 Q. What police car?

23 A. BSO police car..

24 Q. Was that another BSO police car?

25 A. It was 947.

SHEET 52 PAGE 52

52

1 Knatz

2 Q. Your car?

3 A. My Jeep.

4 Q. Once you made sure that you weren't  
5 going to get hit by a car, did you then walk in  
6 the direction of Keith Rogich?

7 A. No.

8 Q. Where did you walk?

9 A. I walked westbound.

10 Q. Towards what? What were you walking  
11 towards westbound?

12 A. Towards west.

13 Q. To do what?

14 A. To apprehend Antoine Taylor.

15 Q. Eventually did you see Antoine Taylor?

16 A. Yes, he was behind the wheel of the  
17 car.

18 Q. Did you see Keith Rogich?

19 A. No.

20 Q. Did you observe Keith Rogich fire his  
21 service revolver?

22 A. I believe he has a nine-millimeter at  
23 the time and I did not observe that, no.

24 Q. Where were you when Keith Rogich fired  
25 his nine-millimeter weapon?

SHEET 53 PAGE 53

53

1 Knatz

2 A. I was on Graham facing westbound.

3 Q. Did you see him fire his  
4 nine-millimeter gun?

5 A. No.

6 Q. Did you see anything that Antoine  
7 Taylor did from the time that he got out of the  
8 car until time that you heard the sounds of the  
9 gun?

10 A. Yes.

11 Q. What did you see?

12 A. I saw Antoine Taylor's car back up a  
13 little and then accelerate.

14 Q. Where were you when you saw Antoine  
15 Taylor's car back up?

16 A. On Graham.

17 Q. Where on Graham? Where in relationship  
18 to your vehicle were you when you saw Antoine  
19 Taylor's vehicle back up?

20 A. I was on foot on Graham behind my  
21 vehicle.

22 Q. Directly behind your vehicle?

23 A. Closer to the right rear quarter panel.

24 Q. When you saw Antoine Taylor's vehicle  
25 at that time, what was it doing?

SHEET 54 PAGE 54

54

1 Knatz

2 A. It was making a lot of noise and then  
3 it accelerated.

4 Q. When you saw Antoine Taylor's vehicle  
5 back up, what was the distance that separated the  
6 front of Antoine Taylor's vehicle and Keith  
7 Rogich?

8 A. I didn't know where Keith was.

9 Q. You had no idea where Keith Rogich was  
10 at that time?

11 A. Somewhere to my left, but I don't know  
12 where he was.

13 Q. Do you know how far he was to your  
14 left?

15 A. No.

16 Q. When you observed Antoine Taylor's  
17 vehicle go in reverse, how far was the front of  
18 Antoine Taylor's vehicle and you before it  
19 started going in reverse?

20 A. Don't know.

21 Q. Would you be able to approximate?

22 A. I didn't measure, I don't know.

23 Q. Was it more or less than five feet?

24 A. Don't know.

25 Q. You testified that Antoine Taylor's

SHEET 55 PAGE 55

55

1 Knatz

2 vehicle traveled in reverse a little bit. How  
3 far did it travel in reverse a little bit?

4 A. Don't know.

5 Q. Would you be able to estimate?

6 A. No.

7 Q. Did the vehicle that Alonge and  
8 Lanzaletto were in, did that eventually come to  
9 a stop?

10 A. Yes.

11 Q. Did that stop directly in back of  
12 Antoine Taylor's vehicle?

13 A. It stopped to the west, I don't know if  
14 it was directly behind him.

15 Q. When they brought their vehicle to a  
16 stop, what was the distance that separated  
17 Antoine Taylor's vehicle, the back of Antoine  
18 Taylor's vehicle from the front of the vehicle  
19 Alonge and Lanzaletto were in?

20 A. You'll have to ask them, I don't know.

21 Q. I'm asking you, do you know?

22 A. No, I don't know.

23 Q. When you saw Antoine Taylor's vehicle  
24 travel in reverse, how fast was it going when it  
25 traveled that little distance?



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56

1 Knatz

2 A. Slow.

3 Q. When Antoine Taylor's vehicle traveled  
4 whatever distance slowly, were there any other  
5 police officers out of their vehicles?

6 A. Don't know.

7 Q. Do you recall ever seeing Officer  
8 Alonge out of his vehicle?

9 A. He was out of his vehicle, yes.

10 Q. Did you see Officer Alonge when you  
11 observed Antoine Taylor's vehicle traveling in  
12 reverse?

13 A. There was police officers out on foot,  
14 but I don't know who was where.

15 Q. Were all the police officers that were  
16 present that day, were they all wearing  
17 plainclothes?

18 A. The ones I was with.

19 Q. Do you recall what type of clothes you  
20 were wearing that day, by that I mean was it dark  
21 colored, light colored?

22 A. Just street clothes.

23 Q. Do you recall in particular whether you  
24 were wearing street clothes that were light  
25 colored or dark colored at the time of this

SHEET 57 PAGE 57

57

1 Knatz

2 incident?

3 A. No, I do not.

4 Q. When you brought your car from the  
5 position it was in a northwest position to where  
6 it came to a stop, do you recall what the  
7 lighting conditions were then, was it dark, was  
8 it well lit, something else?

9 A. During this incident?

10 Q. Yes.

11 A. When I pulled into the intersection?

12 Q. Yes.

13 A. It was light out.

14 Q. Do you recall what time this incident  
15 occurred?

16 A. Approximately what time?

17 Q. Yes.

18 A. Sometime around dinnertime.

19 Q. 6:30?

20 A. I don't know.

21 Q. What's dinnertime?

22 A. 5:00 to 7:00.

23 Q. On September 26, 2009 at approximately  
24 5:00 to 7:00, it was well lit?

25 A. Yes.

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58

1 Knatz

2 Q. When Antoine Taylor drove his car in  
3 reverse, did it eventually stop?

4 A. I don't know.

5 Q. Did you observe it stop?

6 A. When I saw it backing up I was looking  
7 at him.

8 Q. At who?

9 A. Antoine Taylor.

10 Q. When you say you were looking at  
11 Antoine Taylor, you were looking at him through  
12 the windshield?

13 A. Correct.

14 Q. What were you looking for?

15 A. Any kind of movements.

16 Q. Any kind of movements with respect to  
17 Antoine Taylor inside the vehicle?

18 A. Both.

19 Q. Did you observe any movements that  
20 Antoine Taylor made inside the vehicle?

21 A. Yes, he was moving his arms.

22 Q. In what manner?

23 A. In a hurriedly way.

24 Q. Could you describe what you mean by a  
25 hurriedly way?

SHEET 59 PAGE 59

59

1 Knatz

2 When he was operating his vehicle in  
3 reverse slow, were you able to see him through  
4 that windshield?

5 A. I was looking at him, yes.

6 Q. Where were his hands?

7 A. His hands were inside the vehicle.

8 Q. Where were they in relationship to the  
9 driving wheel?

10 A. They were moving.

11 Q. Moving on the driving wheel or off the  
12 driving wheel?

13 A. They were moving close to the driving  
14 wheel, either on it or real close to it.

15 Q. Did you observe him as you were  
16 looking, did his car eventually stop?

17 A. I don't know.

18 Q. Did his car eventually do anything  
19 other than go in reverse?

20 A. Eventually it went forward, yes.

21 Q. In order to go from reverse to forward  
22 with that Mitsubishi, that 1999 Mitsubishi Galant  
23 would that have had to have stopped before it  
24 went from reverse into drive?

25 A. I guess physics-wise eventually at one

SHEET 60 PAGE 60

60

1 Knatz

2 point it would have to stop, yes.

3 Q. Yes, I would agree with you.

4 A. It could have been for one millionth of  
5 a second, but I would say physics, yes, it would  
6 have had to have stopped at one point.

7 Q. When it stopped for whatever period of  
8 time that it stopped for, did you observe it in a  
9 stopped position?

10 A. I did not see it stopped, no.

11 Q. Were you looking at the vehicle the  
12 whole time or were you looking at Antoine Taylor  
13 the whole time?

14 A. I was looking at Antoine Taylor.

15 Q. The position that Antoine Taylor was  
16 in, his vehicle, that period of time where it had  
17 to stop in order to go forward, how far away were  
18 you from the front of his vehicle?

19 A. I don't know.

20 Q. Where was Keith Rogich at that point in  
21 time?

22 A. I didn't see Keith.

23 Q. Was Keith still to your left?

24 A. Somewhere to my left.

25 Q. Did you have your gun drawn at that

SHEET 61 PAGE 61

61

1 Knatz

2 point in time?

3 A. I took out my gun when his car went in  
4 reverse.

5 Q. When his car traveled that little  
6 distance at less than ten miles an hour, was it  
7 traveling in a straight direction, did it veer in  
8 any direction, something else?

9 A. Could you say that again?

10 Q. Sure. When you observed Antoine  
11 Taylor's vehicle travel in reverse, did it travel  
12 in reverse in a straight direction or did it veer  
13 in any direction?

14 A. I just saw it backing up.

15 Q. After it backed up, what, if anything,  
16 did you observe about the direction of the  
17 vehicle at that time?

18 A. It went forward.

19 Q. When the car began to go forward, how  
20 far was the front of his vehicle from you?

21 A. Don't know.

22 Q. What is a car length, less than a car  
23 length?

24 A. I could only approximate maybe a car  
25 length.

SHEET 62 PAGE 62

62

1 Knatz

2 Q. When it started going forward, this  
3 1999 Mitsubishi Galant, when it started going  
4 forward, how fast was it going?

5 MR. LASERNA: Objection.

6 Q. What was its rate of speed?

7 A. I don't know.

8 Q. Could you describe its rate of speed in  
9 any way?

10 A. Quick.

11 Q. During the time that you've been a  
12 police officer, have you ever given somebody a  
13 ticket?

14 A. Yes.

15 Q. Have you ever given anybody a speeding  
16 ticket?

17 A. Yes.

18 Q. During the time that you were in the  
19 academy and the time that you've been a police  
20 officer, have you been trained to estimate the  
21 speed of a vehicle using your eyes?

22 A. Yes.

23 Q. Would you be able to estimate the speed  
24 at which Antoine Taylor's vehicle went from the  
25 time that it stopped for however long until the

SHEET 63 PAGE 63

63

1 Knatz

2 time that it started going forward?

3 A. My estimate would be quick and fast.

4 Q. When you saw this vehicle going quick  
5 and fast, how far away was it from you?

6 A. You had asked me that before, I can  
7 only estimate, a car length or so.

8 Q. When you observed it going forward,  
9 was it going straight or did it veer in any  
10 direction?

11 A. He was going east.

12 Q. Was he going east in a straight  
13 direction?

14 A. It appeared to be a straight direction.

15 Q. When he started to travel in a straight  
16 direction, where were you in relationship to his  
17 car? By that I mean were you in the front of his  
18 car, to the right of his car, something else?

19 A. I was to the northeast of his car.

20 Q. Which would be the driver's side of the  
21 vehicle?

22 A. I would be past the driver's side of  
23 Taylor's vehicle.

24 Q. You would be to the right of the  
25 driver's side of Taylor's vehicle?



SHEET 64 PAGE 64

64

1 Knatz

2 A. I can't really give you right or left  
3 because I'm facing this way, you're facing that  
4 way. My right is this way, your right is that  
5 way (indicating). That's why I said northeast.

6 Q. I understand. When you're looking at  
7 his vehicle you're looking at his vehicle, right,  
8 and it's coming forward, were you, you, as you're  
9 looking at the car, were you to the right of his  
10 vehicle?

11 A. His vehicle was accelerating on my  
12 left.

13 Q. Where was Keith Rogich at that point in  
14 time?

15 A. Don't know.

16 Q. Did you see Keith Rogich fire the  
17 nine-millimeter gun that he had or did you hear  
18 the shots?

19 A. I heard.

20 Q. At any point in time, from the time  
21 that you saw Antoine Taylor's vehicle travel and  
22 drive to the point in time that you heard the  
23 shots, were you able to see Keith Rogich in your  
24 peripheral vision to your left?

25 A. No.

SHEET 65 PAGE 65

65

1 Knatz

2 Q. Did you fire your weapon?

3 A. No.

4 Q. When you heard the shots, did you have  
5 your gun pointed towards Antoine Taylor?

6 A. No.

7 Q. Where was your gun pointed when you  
8 heard the shots?

9 A. Down.

10 Q. Why was your gun pointed down?

11 A. Because I was on -- in the street and  
12 as the car accelerated it wasn't accelerating at  
13 me, there was police officers to my west and  
14 there was no reason for me to point my gun at  
15 him.

16 Q. Did you point your gun at Antoine  
17 Taylor?

18 A. No.

19 Q. Did any other police officers point  
20 their gun at Antoine Taylor?

21 A. You'll have to ask them.

22 Q. Did you observe any police officers  
23 having their guns pointed at Antoine Taylor?

24 A. I do not know.

25 Q. When you heard the shots fired, were

SHEET 66 PAGE 66

66

1 Knatz

2 you standing in front of Keith Rogich or were you  
3 side by side when he was to your left?

4 A. I don't know where Keith was.

5 Q. When Antoine Taylor's vehicle was to  
6 your left, how far to your left was it? Five  
7 feet, ten feet, something else?

8 A. It was further away from me to the west  
9 than it was to my left.

10 Q. Would you be able to approximate how  
11 far it was to your left?

12 A. A foot or so.

13 Q. Aside from your vehicle that was  
14 stopped, Officer Alonge's vehicle that was  
15 stopped behind Taylor's vehicle, were there any  
16 other police vehicles at the scene when you heard  
17 the shots fired?

18 A. There was another police car that came  
19 up on the north.

20 Q. Would that have been to your right or  
21 in front of you?

22 A. In that general area, exactly where it  
23 was, I don't know.

24 Q. Was there only one vehicle in that  
25 general area or two?

SHEET 67 PAGE 67

67

1 Knatz

2 A. Don't know.

3 Q. Do you know what the purpose of that  
4 vehicle being there was?

5 A. To prevent Antoine Taylor from taking  
6 off.

7 Q. Do you recall how many shots were  
8 fired?

9 A. I found out afterwards it was three.

10 Q. Do you have a present recollection of  
11 how many shots were fired while you were at the  
12 scene?

13 A. No.

14 Q. Not based on what somebody told you,  
15 but would you be able to approximate based on  
16 your own senses at the time how many shots were  
17 fired?

18 A. I didn't count so I couldn't give you  
19 an answer.

20 Q. Was more than one shot fired?

21 A. I didn't count, I couldn't give you an  
22 answer.

23 Q. You don't have to count high after one.  
24 So was it more than one?

25 A. I don't --

SHEET 68 PAGE 68

68

1 Knatz

2 Q. You don't know?

3 A. I don't know.

4 Q. When the shots were fired, you heard  
5 shots being fired; right?

6 A. Yes.

7 Q. When you heard shots fired, do you know  
8 what direction those shots were fired in?

9 A. They were fired at Antoine Taylor.

10 Q. Were they shot at the vehicle?

11 A. They were fired toward the vehicle,  
12 yes.

13 Q. What part of the vehicle were the shots  
14 fired at?

15 A. The window.

16 Q. How many shots were fired at the  
17 window?

18 A. I don't know.

19 Q. Were any shots fired at the passenger  
20 door?

21 A. Don't know.

22 Q. Could somebody, could a police officer  
23 stand in front of Antoine Taylor's vehicle, fire  
24 their gun, and the bullet wind up in the  
25 passenger side door?

SHEET 69 PAGE 69

69

1 Knatz

2 A. Say that again.

3 Q. Sure. Could a police officer standing  
4 in front of Antoine Taylor's vehicle fire three  
5 shots and one of them wind up in the passenger  
6 side door, is that possible?

7 A. Sure.

8 Q. How does that happen?

9 A. If you were firing and moving at the  
10 same time, absolutely.

11 Q. If you're standing right here and you  
12 fire your gun, could that bullet go all the way  
13 around and get into the passenger side door?

14 A. If you're standing and not moving --

15 Q. Straight at the windshield?

16 A. And not moving and shooting at a  
17 windshield?

18 Q. Right.

19 A. Can a bullet do what?

20 Q. Go from being in front of the car  
21 around and wind up in the passenger side door?

22 A. Maybe if the door was open.

23 Q. What happened after the shots were  
24 fired, what do you recall happening after the  
25 shots were fired?

SHEET 70 PAGE 70

70

1 Knatz

2 A. Antoine Taylor's car continued to  
3 accelerate east and south and went around my car.

4 Q. In order to go around your car, did  
5 Antoine Taylor's vehicle have to go on the  
6 sidewalk?

7 A. I don't know.

8 Q. Did you observe where Antoine Taylor's  
9 vehicle went?

10 A. East and south.

11 Q. Did you observe that?

12 A. I saw it, yes.

13 Q. When you saw that where was Keith  
14 Rogich?

15 A. Somewhere to the south.

16 Q. Did you see Keith Rogich get out of the  
17 way of Antoine Taylor's vehicle?

18 A. I don't know what Keith did.

19 Q. Just so I'm clear, the record is clear,  
20 before this incident began, the last time you saw  
21 Keith Rogich before the shots were fired was when  
22 he got out of the vehicle; is that correct?

23 A. Yes.

24 Q. When was the next time you saw Keith  
25 Rogich?

SHEET 71 PAGE 71

71

1 Knatz

2 A. After Antoine Taylor's car passed going  
3 east and south Keith was over in the bushes.

4 Q. He was in the bushes?

5 A. On the ground by the bushes.

6 Q. Did you prepare any type of writing  
7 regarding this incident, any type of incident  
8 reports?

9 A. Not that I recall.

10 Q. Were you ever interviewed by anybody?

11 A. The detective, sure.

12 Q. Who interviewed you?

13 A. Various detectives.

14 Q. Do you recall when that occurred?

15 A. After the incident.

16 Q. Were you interviewed with respect to  
17 the shooting of Antoine Taylor or were you  
18 interviewed regarding the entire incident?

19 A. The entire incident.

20 Q. Were you ever interviewed specifically  
21 with respect to the shooting of Antoine Taylor?

22 A. As far as what?

23 Q. That he was shot and who shot him. Did  
24 anybody sit down with you and say tell us what  
25 happened regarding the shooting?



SHEET 72 PAGE 72

72

1 Knatz

2 A. Yes.

3 Q. Who?

4 A. Detectives.

5 Q. Do you remember what detectives?

6 A. No.

7 Q. Were you ever asked to put anything in  
8 writing?

9 A. I don't recall.

10 Q. If you had to put something in writing  
11 regarding somebody being shot, is that something  
12 you would forget?

13 A. I don't recall.

14 Q. Did you ever have to testify at the  
15 grand jury?

16 A. I don't think so.

17 MR. NONNENMACHER: Could I have  
18 this marked as Plaintiff's 1, please.

19 (Whereupon, the reporter marked the  
20 aforementioned Photocopy of Photograph as  
21 Plaintiff's Exhibit 1 for identification  
22 as of this date.)

23 MR. LASERNA: Let's take a break.

24 (Whereupon, a short recess was  
25 taken.)

SHEET 73 PAGE 73

73

1 Knatz

2 CONTINUED EXAMINATION BY MR. NONNENMACHER:

3 MR. NONNENMACHER: Could you mark  
4 these, please.

5 (Whereupon, the reporter marked the  
6 aforementioned Photographs as Plaintiff's  
7 Exhibits 2 through 16 for identification  
8 as of this date.)

9 Q. Let me show you what's been marked as  
10 Plaintiff's 1 for identification, can you take a  
11 look at that, please. Do you recognize what's  
12 shown in that photograph?

13 A. It says West Graham.

14 Q. Do you recognize that to be West  
15 Graham?

16 A. That's what it says. I don't  
17 particularly know the area that well.

18 Q. Do you recognize this photograph having  
19 anything to do with this incident?

20 A. It says West Graham, the incident  
21 happened on Graham, that's all I could tell you.

22 Q. Could you tell by looking at this  
23 photograph where your vehicle came to a stop?

24 A. No.

25 Q. Can you tell on this photograph where

SHEET 74 PAGE 74

74

1 Knatz

2 Antoine Taylor's vehicle came to a stop when you  
3 first saw it?

4 A. No.

5 Q. Is there anything that you can tell me  
6 using this photograph, about this incident?

7 A. Just that it's West Graham --

8 Q. You're saying --

9 A. -- or Graham.

10 Q. You're saying it's West Graham or  
11 Graham because of what's located in the top  
12 portion of this photograph?

13 A. Yeah, it says up there, it says Graham  
14 up there.

15 Q. Aside from the fact that it says 122  
16 West Graham Avenue, Hempstead, New York, United  
17 States, is there anything besides that that leads  
18 you to believe that that's West Graham?

19 A. Oh, it could be West Graham.

20 Q. But do you recognize it to be West  
21 Graham?

22 A. I don't know.

23 Q. Let me show you what's been marked as  
24 Plaintiff's 2 for identification, can you take a  
25 look at that. Do you recognize that photograph?

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75

1 Knatz

2 A. Yeah, it's probably Antoine Taylor's  
3 car.

4 Q. Do you see those different colored  
5 sticks, one is yellow, one is pink and one is  
6 green?

7 A. Yellow, pink -- is this green  
8 (indicating) is that what you consider green?

9 Q. What do you consider it?

10 A. I see those lines, yes.

11 Q. What's the purpose of those lines?

12 A. That appears to indicate where bullet  
13 holes are.

14 Q. They also show the trajectory or the  
15 travel of the bullet; am I correct?

16 A. Oh, I don't know.

17 Q. Do you know what the purpose of those  
18 lines are?

19 A. No.

20 Q. Is one of them, the green line or we  
21 could argue about its color, I don't want to  
22 argue with you, but one of them is in the right  
23 passenger door; am I correct?

24 A. Yes, it looks like it's in the molding  
25 up there, I don't know if it's in the door or the

SHEET 76 PAGE 76

76

1 Knatz

2 molding up there.

3 Q. Could you tell where somebody was  
4 standing when they shot or fired that bullet that  
5 wound up in that area?

6 A. No.

7 Q. Let mow show you what's been marked as  
8 Plaintiff's 4 for identification. Do you  
9 recognize that photograph?

10 A. It's probably Antoine Taylor's car.

11 Q. With the same sticks, same colored  
12 sticks?

13 A. Yes, it's hard to tell, but there's  
14 three lines there.

15 Q. Those lines indicate where certain  
16 bullet holes wound up; am I correct? If you  
17 know?

18 A. You could see this one (indicating) I  
19 don't know about the other two. You really can't  
20 see what's over there, it's just lines.

21 Q. Again, do you know what the purpose of  
22 those lines are?

23 A. No.

24 Q. Let me show you what's been marked as  
25 Plaintiff's Exhibit 6 for identification, can you

SHEET 77 PAGE 77

77

1 Knatz

2 take a look at that.

3 Again that shows the same car?

4 A. Well, it appears to be the same  
5 markings, I don't know if it's the same car, it  
6 doesn't have license plates, I can't read the  
7 sticker here. I would think it would be Antoine  
8 Taylor's car.

9 Q. And the same lines are located in  
10 there?

11 A. There are three lines, yeah, they are a  
12 little different in length and stuff.

13 Q. Do those lines have any significance to  
14 you?

15 A. They appear to point where there is  
16 bullet holes, at least these two, I don't know  
17 about this one, you can't really see  
18 (indicating).

19 Q. When you said this one, you're  
20 referring to the one in the right passenger side;  
21 am I correct?

22 A. It's on the left.

23 Q. It's on the passenger side? It's in  
24 the left photograph but --

25 A. What I'm looking at would be the

SHEET 78 PAGE 78

78

1 Knatz

2 passenger area of the car by the molding.

3 Q. You're referring to not the yellow one,  
4 not the pink one, but the one than goes from the  
5 leftmost portion of the photograph to the vehicle  
6 itself?

7 A. Yeah, there is a line there, yes.

8 Q. That line is on the passenger side of  
9 this car?

10 A. Yes.

11 Q. Do you see that the lines that are in  
12 the photograph have a particular length?

13 A. Well, they are all different, in all  
14 the photographs you showed me, they are all  
15 different.

16 Q. Do you know what the significance of  
17 the varying lengths are?

18 A. No.

19 Q. Let me show you what's been marked as  
20 Plaintiff's Exhibit 13 for identification, can  
21 you take a look at that. Do you recognize that  
22 photograph?

23 A. No.

24 Q. Let me show you what's been marked as  
25 Plaintiff's Exhibit 14 for identification, can

SHEET 79 PAGE 79

79

1 Knatz

2 you take a look at that. Do you recognize that  
3 photograph?

4 A. No.

5 Q. Do you see the hole that's shown in  
6 this photograph, Plaintiff's 14?

7 A. Yes.

8 Q. Do you know what caused that hole?

9 A. I don't know what that is, no.

10 Q. Could a bullet from a nine-millimeter  
11 cause a hole like that?

12 MR. LASERNA: Objection.

13 A. I don't know.

14 Q. Let me show you what's been marked as  
15 Plaintiff's Exhibit 16 for identification, kindly  
16 take a look at that, do you recognize that  
17 photograph?

18 A. It appears to be the crime scene is  
19 right here.

20 Q. Do you know who took that crime scene  
21 photo?

22 A. No.

23 Q. Is there anything about this photograph  
24 that would be able to tell you that this is the  
25 intersection where the accident occurred?



SHEET 80 PAGE 80

80

1 Knatz

2 A. Well, there is a street sign there.

3 Q. Okay, do you recognize this to be where  
4 the incident happened?

5 A. It appears to be that way, yes.

6 Q. Not what it appears to be, but do you  
7 recognize this to be the intersection where the  
8 incident happened?

9 A. It appears that way.

10 Q. Can you tell from looking at this  
11 photograph where your vehicle came to a stop?

12 A. No.

13 Q. Do you see the pole that's located in  
14 this photograph?

15 A. Yes.

16 Q. Was that there on the date of the  
17 incident?

18 A. I believe it was, yes.

19 Q. This trash can, was that there on the  
20 date of the incident?

21 A. I don't know.

22 Q. You see those poles here, the one that  
23 has the street address on it and then there is a  
24 sign, I guess, for ordinances, was that there on  
25 the day of the incident?

SHEET 81 PAGE 81

81

1 Knatz

2 A. I don't know.

3 Q. Assuming that that was there on the day  
4 of the incident, would that have prevented  
5 Antoine Taylor from traveling onto the sidewalk?

6 A. No.

7 Q. If he traveled on the sidewalk,  
8 wouldn't he come into contact with the pole?

9 A. You can't tell if that pole is in the  
10 street or on the sidewalk.

11 Q. Let's look at Plaintiff's 13 for  
12 identification. Does this refresh your  
13 recollection as to where this pole is?

14 A. Yes, I see where the pole is.

15 Q. Do you see the other signs there?

16 A. Yes.

17 Q. Do you recall whether Antoine Taylor's  
18 vehicle, in order to get around your vehicle, had  
19 to get onto the sidewalk?

20 A. I don't know.

21 MR. NONNENMACHER: Mark this,  
22 please.

23 (Whereupon, the reporter marked  
24 the aforementioned Photocopy of Photograph  
25 as Plaintiff's Exhibit 17 for

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82

1 Knatz

2 identification as of this date.)

3 Q. Was Antoine Taylor eventually  
4 apprehended?

5 A. Yes.

6 Q. Were you involved in the apprehension  
7 of him?

8 A. Yes.

9 Q. How were you involved in the  
10 apprehension of Antoine Taylor?

11 A. I put handcuffs on him.

12 Q. After he left the scene, did you follow  
13 him?

14 A. Yes.

15 Q. Were you the first officer on the scene  
16 when he was handcuffed or apprehended?

17 A. No.

18 Q. Why were you the one that put handcuffs  
19 on him?

20 A. Because he was fighting with the two  
21 officers.

22 Q. When you saw Antoine Taylor, was he  
23 bleeding from any portion of his body?

24 A. No.

25 Q. He was not bleeding at all?

SHEET 83 PAGE 83

83

1 Knatz

2 A. When I first saw him?

3 Q. Yes.

4 A. He might have been, I don't know. I  
5 didn't see.

6 Q. When you handcuffed him, did you see  
7 him bleeding from any portion of his body?

8 A. No.

9 Q. Did he have a bullet wound in his  
10 abdomen?

11 A. Did he, yes.

12 Q. Was he bleeding from his abdomen?

13 A. Very little.

14 Q. When you apprehended Antoine Taylor,  
15 was a gun recovered?

16 A. I did not recover a gun.

17 Q. Did anyone recover a gun?

18 A. I don't know.

19 Q. Who was the arresting officer?

20 A. Don't know.

21 Q. When you put cuffs on him, did you have  
22 to fill out any paperwork?

23 A. No.

24 Q. When you put cuffs on him, did anyone  
25 inspect his car?

SHEET 84 PAGE 84

84

1 Knatz

2 A. Probably.

3 Q. Do you know who inspected his car?

4 A. That would be detectives.

5 Q. Let me show you what's been marked as  
6 Plaintiff's 17 for identification. Do you  
7 recognize what's shown in the photograph?

8 A. Graham and Rose.

9 Q. How do you know that's Graham and Rose?

10 A. Well, that's not as blurry as the other  
11 pictures.

12 Q. You know that's Graham and Rose by  
13 virtue of the street signs; am I correct?

14 A. Correct.

15 Q. If the street signs were not there,  
16 would you recognize that to be the intersection  
17 where this incident occurred?

18 A. Well, the other photos of the crime  
19 scene and stuff, yeah.

20 Q. Could you use that photograph to tell  
21 me where your car came to a stop?

22 A. No.

23 Q. Could you use that photograph to tell  
24 me where Antoine Taylor's vehicle came to a stop?

25 A. No.

SHEET 85 PAGE 85

85

1 Knatz

2 Q. Could you use that photograph to answer  
3 any questions regarding the incident that  
4 occurred between Keith Rogich and Antoine Taylor?

5 A. What question are you asking?

6 Q. From the time that you got out of the  
7 car to the time that you put Antoine Taylor in  
8 handcuffs.

9 A. What's the question?

10 Q. Using that photograph, can you tell me  
11 anything using that photograph about the incident  
12 that occurred involving Keith Rogich and Antoine  
13 Taylor, aside from that's the intersection where  
14 it happened?

15 A. I don't understand what the question  
16 is.

17 Q. Using that photograph, show me where  
18 Officer Alonge's car stopped behind Antoine  
19 Taylor's vehicle.

20 A. This is just a very small photograph of  
21 a very small area on a corner here.

22 Q. So you can't do it?

23 A. No.

24 Q. Show me where your vehicle came to a  
25 stop.

SHEET 86 PAGE 86

86

1 Knatz

2 A. I couldn't tell you from this photo.

3 Q. Tell me where, after the shots were  
4 fired, where Antoine Taylor's vehicle traveled?

5 A. Eastbound.

6 Q. Using that photograph, show me.

7 A. I -- eastbound.

8 Q. No, show me, point on the photograph  
9 how far he traveled?

10 A. Eastbound would be this direction  
11 (indicating).

12 Q. He went this way (indicating)?

13 A. That would be eastbound. I don't know  
14 which way by this photograph. I can tell you  
15 eastbound or westbound.

16 Q. This is the last question, we've gotten  
17 along fantastic, my question solely is can you  
18 use this photograph to describe for me, using  
19 your finger or a pen where Antoine Taylor's  
20 vehicle traveled after the shots were fired?

21 A. No.

22 MR. NONNENMACHER: Thank you, no  
23 further questions.

24

25 EXAMINATION BY MR. LASERNA:

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1 Knatz

2 Q. Officer Knatz, when you referred to  
3 lights earlier, when you and Mr. Nonnenmacher  
4 were discussing that, what did you mean by  
5 lights? When he asked when you turned your  
6 lights on and all that, what are lights?

7 A. Police lights.

8 Q. Are they strobe lights, do they  
9 flash --

10 A. Yes, they are multicolored strobe  
11 lights, they flash in numerous parts of the  
12 police car.

13 Q. Did you have those lights turned on  
14 before Mr. Taylor went in reverse?

15 A. Yes.

16 Q. To the best of your knowledge, did you  
17 have them on before Officer Rogich shot his  
18 firearm?

19 A. Yes, they were on when Officer Rogich  
20 was still in the police car.

21 Q. You testified earlier that you saw  
22 Antoine Taylor's car backing up, correct, after  
23 you exited your car?

24 A. Yes.

25 Q. You mentioned something about the car



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2 was making a lot of noise?

3 A. Yes.

4 Q. What do you mean by that?

5 A. Well, not when it was backing up, when  
6 it was accelerating.

7 Q. Accelerating in which direction?

8 A. East.

9 Q. What kind of noise was it making?

10 A. Acceleration noise that cars make when  
11 you hit the gas too fast.

12 Q. In terms of the engine?

13 A. Yes.

14 Q. Did you hear the tires screeching at  
15 all?

16 A. It was just a loud -- loud noise.

17 Q. At some point Mr. Taylor's car drove  
18 past your car in an easterly direction on Graham;  
19 correct?

20 A. Well, east first, then north.

21 Q. At some point after that you handcuffed  
22 him; correct?

23 A. Yes.

24 Q. Could you describe everything that  
25 happened after he got past your car but before

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2 you handcuffed him?

3 A. There was a high speed pursuit that  
4 went north, then a little southeast, then east,  
5 then south and it ended with a collision with  
6 Antoine Taylor's car. And then there was a foot  
7 pursuit and then there was a struggle and then he  
8 was handcuffed and then we found that he was shot  
9 and we got him medical attention.

10 Q. When you say high speed pursuit, would  
11 you be able to estimate how fast Mr. Taylor was  
12 driving?

13 A. He was going fast, I didn't measure the  
14 speed. He was going fast.

15 Q. Would you estimate it was over the  
16 speed limit?

17 A. Yes.

18 Q. Who took part in the pursuit besides  
19 yourself?

20 A. There was Police Officer Carney and  
21 Dennehy in front of me and police officers in  
22 back of me.

23 Q. What kind of car were Dennehy and  
24 Carney driving?

25 A. It was a police car, it wasn't a Jeep,

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1 Knatz

2 I don't know what they were driving.

3 Q. During this pursuit, did you have your  
4 police lights on?

5 A. Yes.

6 Q. Were you able to observe whether  
7 Officer Carney and Officer Dennehy had their  
8 lights on as well?

9 A. Yes.

10 MR. LASERNA: I have no further  
11 questions.

12 MR. NONNENMACHER: I have three.

13

14 CONTINUED EXAMINATION BY MR. NONNENMACHER:

15 Q. Sir, the observations you made with  
16 respect to the travel of Antoine Taylor's vehicle  
17 before the high speed pursuant, would that be  
18 consistent with him trying to get away?

19 A. Yes.

20 Q. When he was involved in the high speed  
21 pursuit, would that also be consistent with him  
22 trying to get away?

23 A. Yes.

24 Q. The events that you just described that  
25 were part of the high speed pursuit, would that

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2 be consistent with the crime of reckless  
3 endangerment?

4 MR. LASERNA: Objection.

5 A. Well, he was trying to get away for the  
6 crime he committed in the past.

7 Q. But the high speed pursuit, everything  
8 that you described, the police chasing him, him  
9 trying to get away, that would be consistent with  
10 the crime of reckless endangerment the way he was  
11 driving?

12 A. Well, that would be up to the  
13 detectives whether that fits the bill.

14 Q. Under those circumstances, would you  
15 charge him with reckless endangerment?

16 A. I wouldn't charge him with anything,  
17 that's up to the detectives.

18 Q. Would you arrest him for reckless  
19 endangerment?

20 A. I didn't arrest him.

21 Q. No, but would you, under the  
22 circumstances, if you had to be the arresting  
23 officer, would you arrest him for reckless  
24 endangerment?

25 A. That would be up to the detectives.

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1 Knatz

2 MR. NONNENMACHER: Thank you,  
3 nothing further.

4 Have a good day.

5 (Time noted: 11:25 A.M.)

6

7

8

MICHAEL F. KNATZ

9

10 Subscribed and sworn to before me

11 This day of

12

13 Notary Public

14

15

16

17

\* \* \* \*

18

19

20

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## CERTIFICATION BY REPORTER

I, NANCY DIONISIO a Notary Public of the State of New York, do hereby certify:

That the testimony of MICHAEL F. KNATZ was held before me at the aforementioned time and place.

That said witness(s) was duly sworn before the commencement of the testimony; that the testimony was taken stenographically by me and then transcribed under my direction; that the parties were represented by Counsel as appears herein.

That the within transcript is a true record of the Examination Before Trial of said witness.

That I am not connected by blood or marriage with any of the parties. I am not interested directly or indirectly in the matter in controversy, nor am I in the employ of any of the Counsel.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of February, 2012.

*Nancy Dionisio*  
NANCY DIONISIO

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